
**BZA-1883
ROLLING MAUL
Special Exception**

**STAFF REPORT
June 19, 2013**

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REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, who is also the owner, and with surveyor Starr & Associates, is requesting an expansion of two previously-approved special exceptions (BZA-1820 & 1839). This request would permit an additional indoor soccer field adjacent to the east of the existing indoor and outdoor fields (SIC 7997 – Outdoor Recreation). The property is located at the end of Conservation Club Road, at 2900 Conservation Club Road, Longlois Reserve (E½) 23-4. (UZO 3-2)

AREA ZONING PATTERNS:

The subject property, as well as the rest of petitioner's landholdings, is zoned A, Agricultural. North of the site is all flood plain associated with the Wildcat Creek. South of the site is mainly zoned agricultural, however zoning becomes more varied closer to Schuyler Avenue. Zonings include GB, R1 and NB farther to the southeast.

Petitioner has applied for and received two previous special exceptions, BZA-1820 and 1839. In spring 2011, BZA-1820 established petitioner's use as outdoor fields only (SIC 7999). Then, six months later by BZA-1839, petitioner expanded the use to include indoor fields as well (SIC 7997).

AREA LAND USE PATTERNS:

Petitioner's existing indoor and outdoor soccer complex exists directly adjacent to the west. The planned expansion site currently supports a small single-family dwelling. Petitioner's site plan indicates the structure will be razed to make way for a 205' x 150' indoor soccer field, parking and a detention basin.

North of the site is in row crop production; the Conservation Club is located closer to Schuyler.

TRAFFIC AND TRANSPORTATION:

Petitioner's site is accessed by an existing commercial driveway that spans a drainage ditch along Conservation Club Road. The site plan shows an additional access using an existing gravel driveway. Staff has concerns about the second driveway as well as the condition of Conservation Club Road. As a condition of this report, petitioner must coordinate plans with County Highway to ensure the road and all entrances are capable of handling increased traffic.

Parking shown for the new building is 109 spaces which do not have to be paved.

Required parking for this use is set at one per employee on the largest shift plus a formula as set by the Administrative Officer. One hundred nine spaces are sufficient to handle all employees, players, coaches and parents. The petition states this lot can also be used to supplement the 64 spaces on the adjacent lot.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

There are no bufferyards associated with this use. Certain open uses require special setbacks (UZO 4-4-8-a-1) however soccer fields (indoor or outdoor) are not included in this list.

According to the City Engineer's department when and if sewer becomes available to this area (called Service Area 1—service is dependent on available funds), this particular site is still located thousands of feet away from the nearest lateral. Petitioner will also need to meet all applicable County Health Department regulations for the septic system. Petitioner has indicated that a watershed engineering study has been submitted to the County Surveyor. As with the previous approval, petitioner must coordinate with the County Surveyor's office and the Drainage Board for all drainage plans.

STAFF COMMENTS:

This is the second expansion of petitioner's successful soccer complex. Staff had reservations about the location of the site back in 2011, but it has not proven to be a deterrent and there have been no complaints regarding noise, lighting, traffic or hours of operation.

Petitioner has indicated there will be six to seven lights on the building that will illuminate the parking lot. Staff required a recorded commitment associated with BZA-1839 (outdoor field expansion) that required all lighting be pointed away from the neighboring residential use, which is now the property considered in this request. Since the single-family dwelling will be going away, staff is not concerned about negative effects of lighting on neighboring properties.

Noise and traffic associated with this use will be concentrated at specific times and likely not at all times of the day. Petitioner has proposed the following hours of operation:

Monday through Friday: 9 a.m. until midnight

Saturday & Sunday: 24 hours

The outdoor fields have very specific hours of operation varying by season; the hours for the indoor expansion are consistent with the approved hours for the existing indoor fields. Because petitioner's site is the only use at the end of Conservation Club Road, the traffic will not have an impact on any other property.

At its meeting on June 5, 2013 the Executive Committee of the Area Plan Commission voted that granting this request would not substantially adversely affect the Comprehensive Plan.

Regarding the ballot items:

1. Section 3.1 of the Unified Zoning Ordinance **DOES** authorize the special exception for this use (SIC 7999) in the A zoning district.

And it is staff's opinion that:

2. The requirements and development standards for the requested use as prescribed by the Unified Zoning Ordinance **WILL** be met. Petitioner has shown sufficient area for parking, all setbacks can be met and approvals from both the County Highway and Drainage Board will be required.
3. If all conditions of this report are met, granting the special exception **WILL NOT** subvert the general purposes served by the Ordinance.
4. Granting the special exception **WILL NOT** materially and permanently injure other property or uses in the same district and vicinity because of:
 - a. Traffic generation: While traffic entering the site may be heavy at times, there is no other use neighboring petitioner's site. Staff does want to ensure the existing driveway and road can handle the increase in traffic and will require approval from County Highway as a condition of this report;
 - b. Placement of outdoor lighting: Proposed lighting on the building and illuminating the parking lot is consistent with the previously approved special exception; this lighting will not have any negative affect;
 - c. Noise production: Because this expansion involves an indoor field, all noise will be concentrated inside and will have no bearing on nearby properties;
 - d. Hours of operation: Hours are consistent with hours approved in BZA-1820 and will continue to have no adverse impact.

STAFF RECOMMENDATION:

Approval, with the following conditions:

1. Before receiving an Improvement Location Permit, petitioner must coordinate with County Highway to ensure the existing driveway and Conservation Club Road can handle any increase in traffic; and
2. Petitioner must also receive Drainage Board approval

Note: A special exception approval ceases to be valid if the use is not established within one year of the date that the special exception was granted.